

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
vs. )  
)  
DENNIS WILSON, )  
)  
Defendant. )

Case Number: CR 05 1849 JH

**AMENDED UNOPPOSED MOTION TO SET CONDITIONS OF RELEASE**

The Defendant, Dennis Wilson, by his attorney, Robert J. Gorence of Gorence & Oliveros, P.C., respectfully requests the Court to amend the Order Setting Conditions of Release that was entered on July 11, 2006 by allowing the bond to be satisfied by posting substitute real property. Specifically, Mr. Wilson requests that the order of release require a condition of release requiring Mr. Wilson to post a property bond utilizing property located at 1513 Gschwind Pl., SW, Albuquerque, New Mexico, and to lower the bond amount to \$94,500.00, as the property has available equity of \$94,528.00. As grounds for this motion, Defendant states:

1. On July 11, 2006, an Order Setting Conditions of Release was entered requiring Mr. Wilson to post a real estate bond in the amount of \$100,000.00, posting two lots owned by the family in Taos County, New Mexico.
2. The two lots in Taos County, New Mexico have existing mortgages and zoning restrictions against them that renders the real estate unsuitable.
3. Mr. Wilson's mother, Rebecca Wilson, has agreed to post her residence located at 1513 Gschwind, Pl., SW, Albuquerque, NM 87121 as bond in this matter.

4. Mr. Wilson's mother, Rebecca Wilson, obtained a loan from Bank of America against this property in June, 2003 in the amount of \$30,300.00. At that time, approximately 2 years ago, in June, 2003, the property located at 1513 Gschwind, Pl., SW, Albuquerque, NM 87121 had an appraised property value of \$117,495.00. Rebecca Wilson now owes approximately \$22,967.00 on this loan. (See Exhibits A and B attached).

5. Using a 2003 property value of \$117,495.00, less amount owed on the loan of approximately \$22,967.00, there is an approximate equity amount in the property of \$94,528.00.

6. By allowing Mr. Wilson to post the property located at 1513 Gschwind, Pl., SW, Albuquerque, utilizing the June, 2006 property value amount, and lowering the bond amount to \$94,500.00, Mr. Wilson will be able to file all property bond paperwork to the Court in a timely manner. Mr. Wilson has been told that an appraisal of this property will take anywhere from four weeks to three months to complete in order to obtain a current property value.

7. All other remaining conditions of release remain in force.

8. AUSA James R.W. Braun has been contact and does not oppose this motion.  
U.S. Probation and Pretrial Officer Marea Williams has been contacted and does not oppose this motion.

**WHEREFORE**, for the reasons stated above, Defendant respectfully requests this Court to amend the Order Setting Conditions of Release filed on July 11, 2006.

Respectfully submitted,

Electronically filed: 07/18/06

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I HEREBY CERTIFY that a true and correct copy of the foregoing has been faxed to AUSA James R.W. Brawn and to U.S. Probation and Pretrial Officer Marea Williams this 18<sup>th</sup> day of July, 2006.

Electronically filed: 07/18/06

ROBERT J. GORENCE